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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,343	09/17/2003	Jean-Francois Decaux	6604-002	4144
22440 7590 09/24/2007 GOTTLIEB RACKMAN & REISMAN PC 270 MADISON AVENUE 8TH FLOOR NEW YORK, NY 10016-0601			EXAMINER PHAM, TAMMY T	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 09/24/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/664,343

Applicant(s)

DECAUX ET AL.

Examiner

Tammy Pham

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Independent claims 1, 12 have been amended. Claims 1-20 are considered below.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.
3. **In regards to claims 1-20**, independent claims 1 and 12 have been amended to include “a fixed support (claim 1, line 8; claim 12, line 8).” There is no previous support for this item in the Specifications. Appropriate correction is needed. In order to expedite the examining process, the claims will be rejected as best understood. Because “support” remains broad and undefined, Examiner will take support to be any element that helps in the overall support system of the apparatus.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Decaux et al. (US Patent No: 6,178,674 B1).

5. **As for independent claims 1, 12,** Decaux teaches of a display device (Fig. 1) containing: at least one poster (Fig. 3, item 5) which is provided with an optically transparent window (Fig. 7) in the poster (Fig. 3, item 5) and presenting an external display (Fig. 3) outside the transparent window (Fig. 3, item 7, column 3, lines 10-15); and at least one image-presenting device (Fig. 1) which presents an internal display (Fig. 2, item 8) that can be seen through the window (Fig. 2, item 7) in the poster (Fig. 2, item 5, column 3, lines 19-24); wherein the display device (Fig. 1) includes adjustment means (Fig. 2, item 6, column 3, lines 1-5) adapted for modifying at least one geometrical parameter selected from: (1) the position of the internal display (Fig. 2, item 8) relative to a fixed support (Fig. 2, item 5), (2) the shape of the internal display (Fig. 2, item 8), and (3) the size of the internal display (Fig. 2, item 8); and wherein the geometrical parameter used is such that the internal display (Fig. 2, item 8) is in register with the window (Fig. 2, item 7) in the poster (Fig. 2, item 5) being presented.

6. **As for claim 2,** Decaux teaches that the adjustment means (Fig. 2, item 6) comprise an electronic central processing unit (Fig. 4) belonging to the display device (Fig. 2), the central processing unit (Fig. 4) having in its memory (Fig. 4, item 17) at least one item of adjustment

data corresponding to the geometrical parameter (column 4, lines 1-5) and the central processing unit (Fig. 2) being adapted for physically modifying the geometrical parameter of the internal display (Fig. 2, item 8, in column 3, lines 1-5; where in moving and modifying the flexible tape, one in turns, moves and modifies the internal display).

7. **As for claims 3, 13,** Decaux teaches that the image-presenting device (Fig. 2) is an electronic screen (Fig. 1, the front of item 1), and the central processing unit (Fig. 4) is adapted for determining in the screen (Fig. 1, the front of item 1) an active portion (the portion in which users can see the internal display through the window (7)) within which the internal display (Fig. 2, item 8) is presented (column 3, lines 19-21).

8. **As for claims 4, 14,** Decaux teaches that the electronic central processing unit (Fig. 4) is adapted for controlling drive means for mechanically moving the image-presenting device relative to the poster (Fig. 5, column 3, lines 1-5).

9. **As for claims 5, 6, 7, 16, 17, 18,** Decaux teaches that at least one interface (Fig. 4, item 18) adapted for loading at least the item of adjustment data into the central processing unit (Fig. 4) {claim 5}; and further that the interface (Fig. 4, item 18) comprises at least one data medium reader (Fig. 3, item 9, column 3, lines 33-35) {claim 6}; and that the interface comprises a telecommunications interface (Fig. 4, item 18, column 4, lines 1-2) {claim 7}.

10. **As for claims 8, 9,** Decaux teaches that the display device (Fig. 1) includes at least one sensor (Fig. 3, item 9) adapted for reading data from the poster (Fig. 3, item 5) and for transferring the data to the central processing unit (Fig. 4, column 3) {claim 8}; and further that the central processing unit (Fig. 4) is adapted for downloading at least the item of adjustment

data as a function of the data read from the poster (Fig. 3, item 5, column 3, lines 29-36) {claim 9}.

11. **As for claims 10, 11**, Decaux teaches that the image-presenting device (Fig. 1) is an electronic screen (Fig. 2, item 8), and, as a function of the data read from the poster (Fig. 3, item 5), the central processing unit (Fig. 4) is adapted for downloading, via a communications interface (Fig. 3, item 9) belonging to the display device (Fig. 1), at least one internal display (Fig. 2, item 8) program to be displayed on the screen (Fig. 1) {claim 10}; and further that the central processing unit (Fig. 4) is adapted for presenting on the screen (Fig. 1) an internal display program (Fig. 2, what is displayed on item 8) that corresponds to the poster (Fig. 2, item 5), and that is selected from a plurality of internal display programs stored in the display device (Fig. 1, column 3, lines 29-31) {claim 11}.

12. **As for claim 15**, Decaux teaches that while a poster (Fig. 3, item 5) is being changed, at least one item of adjustment data (Fig. 3, data from item 9) corresponding to the geometrical parameter is loaded into an electronic central processing unit (Fig. 4) belonging to the display device (Fig. 1) via an interface (Fig. 3, item 9), and the central processing unit (Fig. 4) physically modifies the geometrical parameter of the internal display (Fig. 2, item 8) as a function of the item of adjustment data in column 3, lines 1-5 and in column 3, lines 29-36.

13. **As for claim 19**, Decaux teaches that the image-presenting device (Fig. 1) is an electronic screen (Fig. 1, item 8), and at least one internal display program (Fig. 1, item 8) is downloaded that is to be displayed on the screen (Fig. 1) as a function of the data read (Fig. 3, data from item 9) from the poster (Fig. 3, item 5) in column 3, lines 1-5 and in column 3, lines 29-36.

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14. As for **claim 20**, Decaux teaches that the image-presenting device (Fig. 1) is an electronic screen (Fig. 1, item 8), data (Fig. 3, data from item 9) is read from the poster (Fig. 3, item 5), and, as a function of the data (Fig. 3, data from item 9), an internal display program that corresponds to the poster (Fig. 3, item 5) and that is selected from a plurality of internal display programs is presented on the screen (Fig. 1) in column 3, lines 1-5 and in column 3, lines 29-36.

Response to Arguments

15. Applicant's arguments filed 23 August 2007 have been fully considered but they are not persuasive.

16. **In regards to claims 1, 12**, Applicant argues that the claims has been amended to include *“internal display relative to a fixed support (Remarks 7)”* to avoid the broad reading of the claims. This is not persuasive. First, this amended lacks support. Second, because of the undefined term, “a fixed support” remains board and vague. Examiner will take fixed support to be taught by Decaux (Fig. 2, item 5) since item 5 is connected (and hence fixed) to the apparatus; and gives support to the overall apparatus.

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

18. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

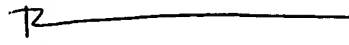
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy Pham whose telephone number is (571) 272-7773. The examiner can normally be reached on 8:00-5:30 (Mon-Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TP
17 September 2007


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Art Unit 2629


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